THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.20187 of 2006

Dated:11-10-2006

Between:

Kampasati Annapoorna and others.

..... PETITIONERS

AND

The Eastern Power Distribution Corporation of A.P. Ltd.,
Eluru, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.20187 of 2006

ORDER:

The five petitioners are residents of Pattayagudem Village of Chintalapudi Mandal in West Godavari District. They allege that agricultural land admeasuring Acs.70.00 belongs to their grand mother late Smt. Doppasani Rattamma and after her death they statedly partitioned the property. They allegedly obtained agricultural loan of Rs.90,000/- from Seethanagaram Primary Agricultural Cooperative Society Limited, dug a bore well and raised banana and oil palm plantations. They approached respondent No.1 for sanction of agricultural service connections, the same were sanctioned on 12-04-2005 and they statedly paid necessary security deposits and other charges. In spite of the same, the service connections were not released, and therefore, they filed instant writ petition seeking a writ of Mandamus directing the respondents to release the agricultural service connections as sanctioned by respondent No.1.

At the stage of admission itself, it is brought to the notice of this Court by the learned standing counsel for APEPDCL that the Mandal Revenue Officer(MRO) has addressed letter dated 27-10-2005 to respondent No.4 informing that the pattadar passbooks (PPBs) in respect of the land in R.S.No.26 of Namavaram Village issued in favour of the petitioners were cancelled by the Revenue Divisional Officer(RDO) by proceedings dated 13-12-2004 and 27-06-2005, and requesting not to sanction electricity connections in respect of said land. Based on the same, respondent No.4 addressed letter dated 29-10-2005 to the petitioners requesting them to produce latest land ownership documents and also informing that the sanction orders will be cancelled if ownership details are not furnished. He submits that the petitioners did not produce any documents and filed the present writ petition.

The learned counsel for the petitioners submits that MRO cancelled PPBs without giving notice and aggrieved by the same, the petitioners filed W.P.No.20844 of 2006 and in case they succeed in the said writ petition, they can compel the respondents to release the electricity connections. This Court, however, is not able to accept the submission.

A copy of the letter dated 29-10-2005 addressed by respondent No.4 to the petitioners is placed before this Court. Curiously the affidavit accompanying the writ petition does not make any reference to the same. Be that as it is, now that respondent No.4 requested the petitioners to produce necessary documents, as and when they get valid

PPBs and ownership documents, they may renew their request for release of electricity connections. Now that they did not comply with the requirement as requested by respondent No.4, they cannot maintain this writ petition. Therefore, liberty is given to them to renew their request for electricity connections as and when they are able to get valid PPBs and ownership documents.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

11th October, 2006
ghn